

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

TRICIA K. GOODE

Plaintiff,

v.

MICHAEL J. ASTRUE,<sup>1</sup>

Commissioner of  
Social Security

Defendant.

CIVIL ACTION NO. 1:06-CV-113

**ORDER**

Upon consideration of the Plaintiff's application for attorneys fees, and the Defendant's response with no objection thereto, it is hereby

**ORDERED** that the Defendant pay Michael Miskowiec, Esquire, attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of Three Thousand Seven Hundred Seventy-Four Dollars and Forty-Five Cents (\$3,774.45) and Court costs of Three Hundred and Fifty-Two Dollars and Sixty-Nine Cents (\$352.69) pursuant to 28 U.S.C. § 1920, as costs of litigation.

Date:

*October 18, 2007*

*James M. Kealey*  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for former Commissioner Jo Anne B. Barnhart, as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).